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Filed with court security officer
in Camera and under sealIN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIADATE 12/29/04

Alexandria Division

UNITED STATES OF AMERICA,

5.

ALI AL-TIMIMI,

Defendant.

Case No. 04-385-A

FILED

DEC 29 2004

U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA**NOTICE OF INTENT TO DISCLOSE CLASSIFIED INFORMATION PURSUANT TO
CLASSIFIED INFORMATION PROCEDURES ACT (18 U.S.C. App. 3 § 5 (a))**

COMES NOW Ali Al-Timimi, by counsel, and for his Notice of Intent to Disclose Classified Information Pursuant to § 5 of the Classified Information Procedures Act (18 U.S.C. App. 3 § 5, identifies the following classified information that the defendant reasonably expects to disclose at in connection with the trial and/or any pretrial proceedings in this case. The defense notes that it only received this information on December 22, 2004, so it was not able to comply with the 30 day time period set forth in CIPA § 5 (a). The defense has not been able to review these items which, upon information and belief, represent at least [REDACTED] of F.I.S.A wiretaps and e-mail search warrants. The defense initially requests that this information be declassified or that the defendant himself be allowed to review same in the SCIF as was done in the case of United States v. Brian Regan. This defendant should be allowed to review recordings of his own voice as well as to read e-mails that he sent. Moreover, since some of this evidence is in Arabic, it is critical for Dr. Al-Timimi to be able to translate same. At this stage, counsel is unable to even inform the defendant what has been

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received so that he can assist in the preparation of his own defense. The list below represents the entirety of the classified discovery received in this case so far.



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RESPECTFULLY SUBMITTED,

ALI AL TIMIMI

By Counsel

A handwritten signature in black ink, appearing to read "Ed McMahon", is written over a horizontal line.

Edward B. MacMahon, Jr. VSB #25432
107 East Washington Street
P.O. Box 903
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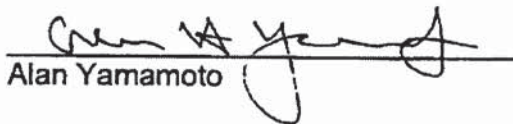
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Alan H. Yamamoto VSB #25872
643 S. Washington Street
Alexandria, Virginia 22314
703-684-4700

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was hand-delivered to the U.S. Attorney's box located in the U.S. District Court Alexandria Clerk's Office this 22nd day of December 2004 to Gordon Kromberg, Esq., Assistant United States Attorney, 2100 Jamieson Ave., Alexandria, Virginia, 22314.



Alan Yamamoto

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CERTIFICATE OF SERVICE

I certify that on this 27th day of March, 2015, I will file the foregoing document on the CM/ECF system, which will then send an electronic notification to:

Mr. Gordon Kromberg, Esq.
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Attorney for the United States

Pursuant to the Electronic Case Filing Policies and Procedures, a courtesy copy will be delivered to Chambers within one business day of this electronic filing.

/s/

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